

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

VELMA R. SCOTT,

Plaintiff,

v.

KINDRED HOSPITALS LIMITED  
PARTNERSHIP d/b/a KINDRED  
HOSPITAL-ATLANTA,

Defendant.

CIVIL ACTION FILE

NO. 1:06-CV-0076-WSD-GGB

**ORDER GRANTING LEAVE TO AMEND COMPLAINT**

In her response to Kindred Hospitals Limited Partnership d/b/a Kindred Hospital-Atlanta's ("Kindred") Motion for Summary Judgment, Plaintiff asserted for the first time that her "current claims" include federal claims under 42 U.S.C. § 1981, the Family and Medical Leave Act, and the Whistleblower Protection Act, and a claim for intentional infliction of emotional distress under Georgia state law. (See Doc. 22 at 2). Those claims were not included in her original complaint. (See Doc. 2). In her response, Plaintiff wrote: "If the court prefers that I further amend my complaint to include these claims, I will be happy to do so." (Doc. 22 at 2-3). The court construes that portion of Plaintiff's response as a Motion for Leave to Amend Complaint.

Given Plaintiff's pro se status, Plaintiff's Motion for Leave to Amend Complaint is **GRANTED**. Plaintiff must file an amended complaint within 14 days of receipt of this order.

If Plaintiff amends her complaint, Kindred may address any perceived deficiencies by motion, if it so chooses. Additionally, Kindred may address the merits of Plaintiff's remaining claims by filing another Motion for Summary Judgment at the expiration of the discovery period.

**IT IS SO ORDERED**, this 31st day of July, 2006.

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/s/ Gerrilyn G. Brill  
GERRILYN G. BRILL  
UNITED STATES MAGISTRATE JUDGE